

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR129
)	
v.)	
)	
BRYAN S. BEHRENS,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's statement of objection and appeal from magistrate judge's order and findings and recommendations (Filing No. [37](#)). The defendant is charged in a twenty-one count indictment with various violations of federal law, including one count of securities fraud, six counts of mail fraud, five counts of wire fraud, and nine counts of money laundering. The defendant filed a motion for bill of particulars (Filing No. [19](#)), which was heard by the magistrate judge on November 10, 2009.

Subsequently, on December 30, 2009, the magistrate judge filed an order and findings and recommendations (Filing No. [36](#)), in which he denied Behren's motion for bill of particulars (Filing No. [19](#)), his motion to strike (Filing No. [17](#)), and recommended the defendant's motion to dismiss (Filing No. [17](#)) be denied. On January 11, 2010, defendant filed his objection to the findings and recommendations (Filing No. [37](#)), and his brief in support of those objections (Filing No. [38](#)).

The Court has reviewed the indictment returned by the Grand Jury in this matter, the findings and recommendations of magistrate judge, the respective briefs of the parties filed with the magistrate judge and the separate brief filed by the defendant in support of his statement of objection and finds that the findings and recommendation of the magistrate judge should be approved and adopted by this Court. Accordingly,

IT IS ORDERED:

1) The findings and recommendation of the magistrate judge (Filing No. [36](#)) are approved and adopted;

2) Defendant's objection and appeal from the magistrate judge's order and report and recommendation (Filing No. [37](#)) is overruled;

3) Defendant's motion to dismiss (Filing No. [17](#)) is denied;

4) Trial of this matter has been scheduled for:

Monday April 12, 2010, at 9 a.m.

Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The time until April 12, 2010, has previously been excluded under the requirement of the

speedy trial act. This will give the parties time to complete trial preparation or pursue plea negotiations.

DATED this 26th day of January, 2010.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court